

**DISPOSITION:** On 12-6-54, the court imposed a fine of \$1,000 against the defendants jointly, suspending the payment of the fine until the defendants were afforded an opportunity to determine whether they could operate in compliance with the law.

On 8-11-55, the court ordered that the defendants pay \$150 of the suspended fine, plus costs, and that the remainder of the suspended fine stay in effect until the defendants went out of the macaroni business.

#### MISCELLANEOUS CEREALS

**22406. Corn (3 seizure actions).** (F. D. C. Nos. 37475, 37482, 37590. S. Nos. 12-018 M, 14-809 M, 14-996 M.)

**QUANTITY:** 238 100-lb. bags at Castro Valley and Stockton, Calif., and South Ozone Park, N. Y.

**SHIPPED:** 10-8-54 and 10-29-54, from Minneapolis, Minn., by Northrup, King & Co.

**RESULTS OF INVESTIGATION:** Examination showed that the article contained between 5.4 parts and 36.6 parts per million of tetramethylthiuram disulfide (arasan).

**LIBELED:** 12-22-54, 12-28-54, and 1-12-55, N. Dist. Calif. and E. Dist. N. Y.

**CHARGE:** 402 (a) (2)—contained when shipped an added poisonous and deleterious substance, tetramethylthiuram disulfide (arasan), which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

**DISPOSITION:** 1-19-55, 2-16-55, and 3-1-55. Default—destruction.

**22407. Bulk yellow corn.** (F. D. C. Nos. 37476, 37481. S. Nos. 9-007/8 M, 9-021 M, 9-102/11 M.)

**QUANTITY:** 10 carloads at Los Angeles, Calif.

**SHIPPED:** Between 11-4-54 and 11-24-54, from Minneapolis, Minn., by Pillsbury Mills, Inc.

**LIBELED:** 12-20-54, S. Dist. Calif.

**CHARGE:** 402 (a) (2)—contained when shipped an added poisonous and deleterious substance, tetramethylthiuram disulfide (arasan), which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

**DISPOSITION:** 1-12-55. Consent—claimed by Pillsbury Mills, Inc. Of the 1,380,900 lbs. segregated and cleaned, 160,560 lbs. were destroyed.

**22408. Shelled corn.** (F. D. C. No. 37571. S. No. 16-880 M.)

**QUANTITY:** 337,680-lbs. at Baltimore, Md.

**SHIPPED:** 11-11-54, from North Liberty, Ind., by North Liberty Elevator, Inc.

**LIBELED:** 1-3-55, Dist. Md.

**CHARGE:** 402 (a) (3)—contained decomposed and moldy corn when shipped.

**DISPOSITION:** 7-19-55. Consent—claimed by Pennsylvania Railroad Co., Baltimore, Md. Converted to animal feed.

**22409. Unpopped popcorn.** (F. D. C. No. 37736. S. No. 7-283 M.)

**QUANTITY:** 44 cases, 24 2-lb. bags each, at Denver, Colo.

SHIPPED: 12-7-54, from Sioux City, Iowa, by Robb Ross Co.

LABEL IN PART: (Bag) "Robb Ross Pop Corn."

LIBELED: 1-7-55, Dist. Colo.

CHARGE: 402(a)(3)—contained rodent excreta when shipped.

DISPOSITION: 3-7-55. Default—consumption by animals.

**22410. Unpopped popcorn.** (F. D. C. No. 37734. S. No. 8-413 M.)

QUANTITY: 15 cases, 36 1-lb. pkgs. each, at Kansas City, Mo.

SHIPPED: 12-27-54, from Coffeyville, Kans., by Kansas Wholesale Grocery Co.

LABEL IN PART: (Pkg.) "Vogel's Pop Corn."

LIBELED: On or about 1-5-55, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insects when shipped.

DISPOSITION: 2-16-55. Default—destruction.

**22411. Wheat.** (F. D. C. No. 37488. S. No. 6-089 M.)

QUANTITY: 120,000 lbs. at Louisville, Ky.

SHIPPED: 11-30-54, from Indianapolis, Ind., by Indiana Grain Cooperative.

LIBELED: 12-22-54, W. Dist. Ky.

CHARGE: 402(a)(2)—contained when shipped an added poisonous and deleterious substance, a mercurial compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: 12-29-54; amended 2-7-56. Consent—claimed by Indiana Farm Bureau Cooperative Association, Inc., Indianapolis, Ind. After several attempts to recondition the article had proved unsuccessful, it was destroyed.

**22412. Wheat.** (F. D. C. No. 37764. S. Nos. 10-379/80 M.)

QUANTITY: 88,200 lbs. at Minneapolis, Minn.

SHIPPED: 1-13-55, from Kulm, N. Dak., by Gackle Bros. Grain Co.

LIBELED: 1-25-55, Dist. Minn.

CHARGE: 402(a)(3)—contained rodent excreta when shipped.

DISPOSITION: 2-8-55. Consent—claimed by Gackle Bros. Grain Co. and reprocessed for use as animal feed.

## DAIRY PRODUCTS

### CHEESE

**22413. Washed curd cheese.** (F. D. C. No. 35738. S. Nos. 56-120/1 L.)

INFORMATION FILED: 12-29-53, N. Dist. N. Y., against Colosse Cheese & Butter Co., Inc., Parish, N. Y., and John F. O'Mara, manager.

ALLEGED VIOLATION: On 2-2-46, the defendants gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese shipped or sold by it under the guaranty would not be adulterated or misbranded.

Between 7-3-53 and 7-13-53, the defendants caused to be shipped to the holder of the guaranty, at Carthage, N. Y., quantities of washed curd cheese which were adulterated.